



THE CITY OF NEW YORK
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June 12, 2017

BY ECF

Honorable Richard J. Sullivan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Rodriguez v. City of New York, et al.
16-CV-2113 (RJS)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the Office of the Corporation Counsel, and assigned to represent defendant The City of New York (hereinafter referred to as “Defendant City”) in the above-referenced matter. I write, on behalf of the parties, to respectfully provide a status report in this matter, which is currently stayed pending the outcome of the CCRB prosecution of defendant P.O. Singh. Additionally, I write on behalf of Defendant City to request that the stay of this matter be continued for an additional 30 days.

By way of background, plaintiff alleges, *inter alia*, that on or about November 13, 2015, she was falsely arrested and subjected to excessive force. See generally, Complaint. The CCRB’s Administrative Prosecution Unit (“APU”) is currently prosecuting this matter. The assigned prosecutor, Executive Agency Counsel Jonathon Fogel, informs the undersigned that the verdict of the prosecution is nearing completion, and is currently in draft format. Plaintiff opposes any further stay of this matter. However, in light of the issues involved in this matter and Defendant City’s obligations pursuant to Gen. Mun. Law. 50-k, as well as for the reasons set forth in Defendant’s Letter dated June 13, 2016, Defendant City respectfully requests that the stay of this matter be continued until the final verdict is rendered in the CCRB’s prosecution, and respectfully proposes that the parties be permitted to file a status report on the progress of the CCRB’s prosecution on or before July 12, 2017.

In the alternative, if the Court is not inclined to grant Defendant City’s request that the stay of this matter be continued, Defendant City respectfully requests that it be permitted

21 days from the date that the stay is lifted within which it may respond to the Complaint. Plaintiff does consent to this request.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Daniel H. Oliner
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Baree Nichole Fett
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Attorneys for plaintiff
(via ECF)